

Exhibit A

**DECLARATION OF OFFICER TIMOTHY FREDERICK IN SUPPORT OF MOTION
FOR SUMMARY JUDGMENT**

I, TIMOTHY FREDERICK, being first duly sworn, declare as follows:

1. I am a Defendant in Case No. 2:10-cv-01814-PMP-GWF. The following is within my personal knowledge, except those facts stated upon information and belief, which I believe to be true, and if called upon as a witness, I could competently testify thereto.

2. I am a police officer with the Las Vegas Metropolitan Police Department. On March 21, 2008, I was on duty and received a call to respond to Mountain View Hospital.

3. The call came in from Mountain View Hospital that an unknown white female in her late 30's who had previously been trespassed from the property was on the second floor of the ICU being disruptive.

4. I was the first unit to arrive at Mountain View Hospital and went inside.

5. Upon going inside, I learned that Mountain View had contacted the Las Vegas Metropolitan Police Department because an individual by the name Joyce Zaic was being disruptive and had been previously trespassed.

6. I escorted all parties outside to conduct an investigation.

7. In addition to being trespassed a few days before, there were allegations that Joyce Zaic had committed a battery inside Mountain View Hospital.

8. I asked Joyce Zaic to wait on a bench while I talked to all parties involved.

9. I conducted an investigation into the allegations of the trespass and battery.

10. The investigation revealed that there were three individuals inside the hospital room at the time the alleged battery took place.

11. The alleged victim, Danielle Pieper, indicated that while inside the room Joyce Zaic was yelling, using profanity, pushed her and struck her in the back of the neck. Ms. Pieper provided a voluntary statement that was witnessed by Officer Eager.

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MARQUIS AURBACH COFFING

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12. Additionally, an eye witness to the alleged battery, Steve Zaic, corroborated Danielle Pieper's statement in that Joyce Zaic was yelling, cursing, pushed Danielle Pieper and struck her in the back of the neck or head. Steve Zaic provided a voluntary statement that was witnessed by Officer Eager.

13. Additionally, I spoke with Mountain View security who indicated that over the past month they had numerous issues regarding Joyce Zaic and had to kick her out of the hospital.

14. I learned that a few days earlier, the hospital formally trespassed Joyce Zaic from the property and told her that if she returned she would be arrested for trespassing.

15. At the conclusion of the investigation, it was determined that probable cause existed to arrest Joyce Zaic for battery and trespass.

16. Danielle Pieper wanted to fill out a Declaration of Citizen's Arrest due to Joyce Zaic committing the offense of battery.

17. I witnessed Danielle Pieper fill out the Declaration of Citizen's Arrest and provided the witness signature upon it. A true, accurate and correct copy of the Declaration of Citizen's Arrest with my witness signature is attached to my Declaration as **Exhibit 1**.

18. At the conclusion of the investigation, Joyce Zaic was placed under arrest.

19. In arresting Joyce Zaic, I placed handcuffs on her and put her in the rear of the police car.

20. Joyce Zaic never made any complaints regarding the tightness of the handcuffs or any injuries to her.

21. Joyce Zaic was then transported to the jail.

I declare under penalty of perjury under the law of the State of Nevada (NRS 53.045), that the foregoing is true and correct.

DATED this 21 day of September, 2011.


TIMOTHY FREDERICK

Exhibit 1

1 OF 2

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DECLARATION OF CITIZEN'S ARRESTSTATE OF NEVADA)
COUNTY OF CLARK)

ss: ZAIC, JOYCE

ID #: 0845624

EVENT #: 080321-2810

On this date 3-21-08, I, Danielle Pieper, declare
under penalty of perjury that the following is true and correct:

1. That declarant learned the following facts and circumstances which lead declarant to believe that

ZAIC, JOYCE committed (or was committing) the offense of BATTERY
at the location of 3100 N. TENAYA W NV 89129

2. That the offense occurred at approximately 2020 hours, on the 21 day of MARCH 2008

I went to Mt. View hospital w/ my fiancée Steve Zaic to visit his father. We knocked into his father's hospital room and Joyce Zaic, Steve's sister, said "Who the fuck is this get out of my dad's room." She then said "Who the fuck is this Steve?" Steve then replied "It's my fiancée Dani. Just calm down". She then stood up and said to me "who the fuck are you? She needs to get out of the room. I only want family in here." Steve said "calm down, Joyce". Joyce then looked at me and said "Get the fuck out of here, you don't belong here." I just looked at her and she came at me again and said, "get the fuck out, stop using that fucking smile off your face." She continued to yell "get the fuck out of the room". I looked at her and she pushed the right side of my shoulder. She then pulled her breath back and attempted to spit on me. I could see her spit welled up in her mouth. She continued to yell, "Get out you are not family". Then I turned away from her and felt a blow to the right side of my neck. Steve got in between us and she kept

Wherefore, declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are a misdemeanor). yelling get out Steve then

Declarant's Signature

T. Finner 9793

Witness' Signature

SECOND COPY MUST HAVE
ORIGINAL SIGNATURE.First Appearance: Date _____ Time _____ Court: Justice ☐ Municipal ☐ Juvenile ☐Standard Bail ☐ "OR" Release ☐ Probable Cause: Yes ☐ No ☐ Judge _____

LVMPD 15 (REV. 3-00)

080321-2810

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
DECLARATION OF ARREST CONTINUATION PAGEPage 2 of 2ID #: 0845624

Steve then got in between us and she continued to yell, scream and point. She then lunged at me and Steve pushed her to the ground and held her down. The nurses then came and security was called. We waited for Metro.

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are a misdemeanor).

Declarant's Signature

Print Declarant's Name

P #

LVMPD 22-B (3-91)

(2) ORIGINAL - RECORDS